

### **AMENDMENT TO THE CLAIMS**

1. (Currently Amended) An immunopotentiator for mammals, which comprises as an active ingredient a nucleic acid containing a ~~special~~ nucleic acid base, ~~a derivative thereof~~ or a plasmid having the nucleic acid containing the ~~special~~ nucleic acid base, wherein the nucleic acid base is at least one selected from the group consisting of 8-oxoadenine, 2-oxoadenine, 5-hydroxyuracil, 5-formyluracil, 5-formylcytosine, 8-nitroguanine, thymine glycol, cytosine glycol, hypoxanthine, oxanine, pyrimidine dimer, O<sup>6</sup>-methylguanine, O<sup>4</sup>-methylthymine, and a microbial nucleic acid-specific modified base, wherein the microbial nucleic acid-specific modified base is selected from the group consisting of N<sup>6</sup>-methyladenine, 5-hydroxymethyluracil and 5-hydroxymethylcytosine.

2-4. (Cancelled)

5. (Currently Amended) The immunopotentiator as claimed in ~~claim 3~~claim 1, wherein the nucleic acid ~~containing~~contains the microbial nucleic acid-specific modified ~~base~~ is~~base and is~~ a nucleic acid having ~~a base~~the base sequence of SEQ ID NO: 4.

6. (Previously Presented) The immunopotentiator as claimed in claim 1, which further comprises as an active ingredient a nucleic acid containing a microbial nucleic acid-specific non-methylated CpG sequence or a plasmid having the nucleic acid containing the microbial nucleic acid-specific non-methylated CpG sequence.

7. (Original) The immunopotentiator as claimed in claim 6, wherein the nucleic acid containing the microbial nucleic acid-specific non-methylated CpG sequence is a nucleic acid having the base sequence of SEQ ID NO: 2.

8. (Currently amended) The immunopotentiator as claimed in ~~claim 3~~claim 1, wherein the microbial nucleic acid-specific modified base is from ~~microbe~~ is a virus or a bacterium.

9. (Original) The immunopotentiator as claimed in claim 8, wherein the bacterium is Escherichia coli.

10. (Previously Presented) A process for producing an inflammatory cytokine, which comprises administering the immunopotentiator as claimed in claim 1 to cultured cells to enhance an immunoactivity of the cultured cells and produce the inflammatory cytokine.

11. (Currently Amended) A process for producing an inflammatory cytokine, which comprises ~~simultaneously~~ administering to cultured cells the immunopotentiator as claimed in claim 1 ~~together with a composition comprising as an active ingredient a nucleic acid containing a microbial nucleic acid-specific non-methylated CpG sequence or a plasmid having the nucleic acid containing the microbial nucleic acid-specific non-methylated CpG sequence~~ claim 6 to ~~further~~ enhance an immunoactivity of the cultured cells and produce the inflammatory cytokine.

12. (Withdrawn) Cultured cells producing an inflammatory cytokine, to which the immunopotentiator as claimed in claim 1 is administered to enhance an immunoactivity.

13. (Withdrawn) Cultured cells producing an inflammatory cytokine, to which the immunopotentiator as claimed in claim 1 together with a composition comprising as an active ingredient a nucleic acid containing a microbial nucleic acid-specific non-methylated CpG sequence or a plasmid having the nucleic acid containing the microbial nucleic acid-specific non-methylated CpG sequence are simultaneously administered to further enhance an immunoactivity.

14. (Withdrawn) The cultured cells as claimed in claim 12, which are derived from mammals including humans.

15. (Withdrawn) A method for enhancing an immunoactivity of mammals, which comprises administering to mammals the immunopotentiator as claimed in claim 1 to enhance an immunoactivity of mammals.

16. (Withdrawn) A method for enhancing an immunoactivity of mammals, which comprises simultaneously administering to mammals the immunopotentiator as claimed in claim 1 together with a composition comprising as an active ingredient a nucleic acid containing a microbial nucleic acid-specific non-methylated CpG sequence or a plasmid having the nucleic acid containing the microbial nucleic acid-specific non-methylated CpG sequence to further enhance an immunoactivity of mammals.

17. (Withdrawn) Non-human mammals to which the immunopotentiator as claimed in claim 1 is administered to enhance an immunoactivity.

18. (Withdrawn) Non-human mammals to which the immunopotentiator as claimed in claim 1 together with a composition comprising as an active ingredient a nucleic acid containing a microbial nucleic acid-specific non-methylated CpG sequence or a plasmid having the nucleic acid containing the microbial nucleic acid-specific non-methylated CpG sequence are simultaneously administered to further enhance an immunoactivity.

19. (Withdrawn) The non-human mammals as claimed in claim 17, which are mice.